GOVERNMENT OF INDIA
FINANCE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:736
ANSWERED ON:22.11.2002
DIRECT TAX CASES IN COURT
ABDUL RASHID SHAHEEN;BIR SING MAHATO

Will the Minister of FINANCE AND COMPANY AFFAIRS be pleased to state:

(a) whether the rate of acquittal in the cases relating to direct taxes filed in courts by the revenue department is high because the cases of direct taxes are not pursued properly;

(b) if so, the number of persons acquitted during each of the last three years and the reaction of the Government in this regard;

(c) the remedial steps taken by the Government in this regard; (

(d) whether the working of the Department of Revenue in this respect has been reviewed; and

(e) if so, the details thereof ?

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE & COMPANY AFFAIRS (SHRI GINGEE N. RAMACHANDRAN).

(a) No, Sir.

(b):Number of persons acquitted during last three years are as under:

Financial Year	Number of persons acquitted
1999-2000	1465
2000-2001	419
2001-2002	199
2002-2003	335

(up to 31.10.2002)

Prosecution complaints for the offences under the Direct Tax laws are filed after taking legal advice of and are defended by the Departmental Counsels as per due process laid down in this regard. Many offenders come forward for compounding of their offences which is allowed as per provisions of law in this regard.

(c), (d) & (e): Instructions have been issued from time to time to field officers for proper collection and marshalling of evidences resulting into successful prosecution.